

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
FIFTY-NINTH LEGISLATURE

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**FIFTY-FOURTH LEGISLATIVE DAY  
FRIDAY, FEBRUARY 29, 2008**

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused – Black, Shepherd(2), Wills. Total – 3.  
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Elijah Roberts, Page.

### Approval of Journal

February 29, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-third Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

February 28, 2008

Mr. Speaker:

I return herewith enrolled **H 352, H 360, H 387, H 390, H 419, and H 420** which have been signed by the President.

WOOD, Secretary

Enrolled **H 352, H 360, H 387, H 390, H 419, and H 420** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

### Report of Standing Committees

February 29, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HCR 49, HCR 50, H 572, H 573, H 574, H 575, H 576, H 577, H 578, H 579, H 580, and H 581.**

CLARK, Chairman

**HCR 50 and H 581** were referred to the Transportation and Defense Committee.

**H 576** was referred to the Judiciary, Rules, and Administration Committee.

**H 577, H 578, H 579, and H 580** were referred to the Revenue and Taxation Committee.

**HCR 49, H 572, H 573, H 574, and H 575** were filed for second reading.

February 28, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HJM 6, H 351, H 366, H 429, H 457, H 409, H 381, H 388, H 378, and H 385,** as amended.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **HJM 6, H 351, H 366, H 429, H 457, H 409, H 381, H 388 H 378, and H 385,** as amended, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 28, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 39** to the Secretary of State at 1:18 p.m., as of this date, February 28, 2008.

CLARK, Chairman

February 28, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 445** to the Governor at 1:20 p.m., as of this date, February 28, 2008.

CLARK, Chairman

February 28, 2008

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 561 and H 562** and recommend that they do pass.

LAKE, Chairman

**H 561 and H 562** were filed for second reading.

February 28, 2008

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1382** and recommend that it do pass.

LOERTSCHER, Chairman

**S 1382** was filed for second reading.

February 28, 2008

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY,

AND TECHNOLOGY, report that we have had under consideration **H 557** and recommend that it do pass.

RAYBOULD, Chairman

**H 557** was filed for second reading.

February 29, 2008

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 464** and recommend that it do pass.

BLOCK, Chairman

**H 464** was filed for second reading.

February 27, 2008

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 448**, **H 449**, **H 450**, and **H 547** and recommend that they do pass.

BLACK, Chairman

**H 448**, **H 449**, **H 450**, and **H 547** were filed for second reading.

February 28, 2008

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **S 1359** and **S 1389** and recommend that they do pass.

WOOD, Chairman

**S 1359** and **S 1389** were filed for second reading.

February 28, 2008

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 363** and report it back with amendments attached to be placed on General Orders for consideration.

WOOD, Chairman

**H 363** was placed on General Orders for consideration.

There being no objection, the House advanced to the Seventh Order of Business.

### **Motions, Memorials, and Resolutions**

#### **HOUSE CONCURRENT RESOLUTION NO. 51**

##### **BY STATE AFFAIRS COMMITTEE**

##### **A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF FINANCE, REVENUE AND EFFICIENCIES FOR STATE GOVERNMENT.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the government is the servant of the people and derives its just power from the consent of the governed; and

WHEREAS, the Idaho state budget has been growing faster than population growth; and

WHEREAS, taxes burden all working people and place heavy burdens on families, both young and old; and

WHEREAS, the economy may be softening resulting in fewer tax revenues; and

WHEREAS, the health of the private sector is critical to a healthy Idaho economy; and

WHEREAS, every working person would receive a wage increase if taxes were reduced and all other factors remain constant; and

WHEREAS, tax reduction has been demonstrated to be beneficial to the economy; and

WHEREAS, tax reduction is possible only when state spending is kept in check.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-ninth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of state government finance and revenue to assess all statutory increases in spending, to consider ongoing programs, to consider implementing zero-based budgeting for the state, to consider cost-saving policies that could be put in place to improve education, to study policies that focus on prevention, so as to reduce social problems and social spending and to consider any other wise proposal to reduce the state tax burden. The committee is to use as a starting point the report of the Governor's Management Task Force commissioned by Governor John Evans. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee and shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that nonlegislative members of the committee may be appointed by the cochairs of the committee who are appointed by the Legislative Council. Nonlegislative members of the advisory committee shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges regarding the committee's recommendations or proposed legislation.

BE IT FURTHER RESOLVED that the committee shall report its findings, recommendations and proposed legislation, if any, to the First Regular Session of the Sixtieth Idaho Legislature.

#### **HOUSE CONCURRENT RESOLUTION NO. 52**

##### **BY STATE AFFAIRS COMMITTEE**

##### **A CONCURRENT RESOLUTION**

STATING LEGISLATIVE FINDINGS AND REQUESTING THE PARK AND RECREATION BOARD AND THE DEPARTMENT OF PARKS AND RECREATION TO PROVIDE FOR A WAIVER OF BASIC CAMPSITE FEES FOR CERTAIN DISABLED VETERANS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the state of Idaho is home to thousands of veterans who have served our country honorably as members of the armed forces, and activated members of the National Guard and Reserve component forces; and

WHEREAS, each day we learn more about the price our military members pay to defend our freedom and protect our national security, including physical illnesses and injuries

sustained in the line of duty; and

WHEREAS, we express our profound gratitude for the sacrifices made by our veterans including, but not limited to, those who suffer from physical illnesses and injuries sustained while they were serving in the United States armed forces and as activated members of the National Guard and Reserve component forces; and

WHEREAS, we would like to help some disabled veterans be able to enjoy our state park system as a way of saying "thank you."

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-ninth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Idaho Park and Recreation Board and the Idaho Department of Parks and Recreation are encouraged to develop and implement a pilot program to be effective January 1, 2009, that provides for a waiver of basic campsite fees to any Idaho resident who is a disabled veteran and whose service-related disability is rated at fifty to ninety percent permanent and total, for those veterans using the state parks.

BE IT RESOLVED that the Idaho Park and Recreation Board and the Idaho Department of Parks and Recreation are requested to provide a report to the next three annual sessions of the Legislature regarding the implementation, fiscal impact, and performance of the three-year pilot discount program for veterans and whether such program should be continued. The Legislature further recognizes the importance of acknowledging the fiscal and operational impacts of such a discount program to the state as a whole, and particularly the Idaho Department of Parks and Recreation and the level of services they provide.

**HCR 51** and **HCR 52** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 582  
BY EDUCATION COMMITTEE  
AN ACT**

RELATING TO SCHOLARSHIPS; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 57, TITLE 33, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO STATE LEGISLATIVE INTENT, TO PROVIDE FOR THE PURPOSES OF THE CHAPTER, TO DEFINE TERMS, TO PROVIDE FOR ELIGIBILITY, TO PROVIDE FOR AN APPLICATION PROCESS, TO PROVIDE FOR APPLICATION CRITERIA, TO PROVIDE FOR A SELECTION PROCESS, TO PROVIDE FOR THE AMOUNT AND DURATION OF AWARDS, TO PROVIDE FOR PROCEDURE IN THE EVENT OF INELIGIBILITY AND TO CREATE AND PROVIDE FOR A NURSING EDUCATOR SCHOLARSHIP PROGRAM FUND.

**HOUSE BILL NO. 583  
BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO INCOME TAX DEDUCTIONS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3022R, IDAHO CODE, TO PROVIDE AN INCOME DEDUCTION FOR PRIVATE SCHOOL TUITION PAYMENTS FOR THE QUALIFIED DEPENDENT CHILD OF AN INDIVIDUAL TAXPAYER, TO

DEFINE "QUALIFIED DEPENDENT CHILD" AND TO PROVIDE A PROCEDURE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 584  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO ALCOHOLIC BEVERAGES; AMENDING TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 15, TITLE 23, IDAHO CODE, TO PROVIDE THAT CERTAIN PERSONS SHALL COMPLETE AN ALCOHOL RECOGNITION AND TRAINING PROGRAM WITHIN A SPECIFIED PERIOD OF TIME, TO PROVIDE THAT LICENSEES SHALL MAINTAIN DOCUMENTATION OF TRAINING AND PROVIDE THE DOCUMENTATION UPON REQUEST TO THE IDAHO STATE POLICE AND TO PROVIDE PENALTIES.

**HOUSE BILL NO. 585  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO A DISCLOSURE FORM FOR THE SALE OF REAL PROPERTY; AMENDING SECTION 55-2508, IDAHO CODE, TO PROVIDE THAT CERTAIN DISCLOSURE ITEMS SHALL BE CONSPICUOUS, IN A BOLD FONT AND IN A SIZE WHICH IS GREATER THAN THE OTHER DISCLOSURES CONTAINED WITHIN THE DISCLOSURE FORM OR ALTERNATIVE FORM.

**HOUSE BILL NO. 586  
BY WAYS AND MEANS COMMITTEE  
AN ACT**

RELATING TO AIR QUALITY; AMENDING CHAPTER 1, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-116B, IDAHO CODE, TO PROVIDE FOR A VEHICLE INSPECTION AND MAINTENANCE PROGRAM, TO PROVIDE FOR ALTERNATIVE MOTOR VEHICLE EMISSION CONTROL STRATEGIES, TO PROVIDE FOR REGISTRATION REVOCATION OF CERTAIN MOTOR VEHICLES BY THE IDAHO TRANSPORTATION DEPARTMENT, TO PROVIDE FOR PERIODIC REVIEW OF CERTAIN INFORMATION AND TO CLARIFY APPLICABILITY.

**HOUSE BILL NO. 587  
BY WAYS AND MEANS COMMITTEE  
AN ACT**

RELATING TO JUDGES' SALARIES; AMENDING SECTION 59-502, IDAHO CODE, TO PROVIDE FOR A SALARY INCREASE FOR SUPREME COURT JUSTICES AND DISTRICT COURT JUDGES.

**HOUSE JOINT RESOLUTION NO. 3  
BY STATE AFFAIRS COMMITTEE  
A JOINT RESOLUTION**

PROPOSING AN AMENDMENT TO ARTICLE I, OF THE CONSTITUTION OF THE STATE OF IDAHO, BY THE ADDITION OF A NEW SECTION 23, ARTICLE I, TO PROVIDE THAT THE PEOPLE HAVE THE RIGHT TO HUNT, FISH, TRAP AND HARVEST WILD GAME, SUBJECT TO REASONABLE RULES ADOPTED IN ACCORDANCE WITH

STATE LAW, TO PROVIDE THAT CONSISTENT WITH THE STATE OF IDAHO'S DUTY TO PROTECT THIS VALUED HERITAGE AND TO PRESERVE, PROTECT, PERPETUATE AND MANAGE WILD MAMMALS, BIRDS AND FISH, TRADITIONAL METHODS USED TO TAKE SPECIES NOT PROTECTED BY FEDERAL LAW ARE RESERVED TO THE PEOPLE, TO PROVIDE THAT PUBLIC HUNTING, FISHING AND TRAPPING SHALL BE THE PREFERRED MEANS OF MANAGING AND CONTROLLING SPECIES NOT PROTECTED BY FEDERAL LAW AND TO PROVIDE THAT NOTHING SHALL BE CONSTRUED TO MODIFY ANY OTHER PROVISIONS OF THE CONSTITUTION, COMMON LAW OR STATUTES RELATING TO TRESPASS, EMINENT DOMAIN OR ANY OTHER PROPERTY RIGHTS OR TO ESTABLISH EXPRESSLY OR BY IMPLICATION ANY MINIMUM AMOUNT OF WATER IN ANY STREAM, RIVER, LAKE, RESERVOIR OR OTHER WATERCOURSE OR WATER BODY; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

**H 582, H 583, H 584, H 585, H 586, H 587, and HJR 3** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

### Second Reading of Bills and Joint Resolutions

**H 567** and **H 544**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

**H 570** and **H 571**, by Appropriations Committee, were read the second time by title and filed for third reading.

**S 1321**, as amended, by State Affairs Committee, read the second time by title and filed for third reading.

**S 1256**, as amended, and **S 1311**, by Commerce and Human Resources Committee, read the second time by title and filed for third reading.

**S 1269, S 1373, S 1352, S 1354, and S 1418**, by Resources and Environment Committee, were read the second time by title and filed for third reading.

**S 1362** and **S 1371**, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **H 552** retain its place on the Third Reading Calendar until Monday, March 3, 2008. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that **H 545, H 458, H 517**, as amended, **H 526**, as amended, **H 529**, as amended,

**H 380**, as amended, **H 382**, as amended, and **H 531**, as amended, be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**H 545** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Luker to open debate.

The question being, "Shall **H 545** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Shirley, Shively, Smith(24), Smith(30)(Stanek), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wood(27), Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused--Black, Lake, Shepherd(02), Wills, Wood(35). Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 545** passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 458** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. King to open debate.

The question being, "Shall **H 458** pass?"

Roll call resulted as follows:

AYES -- Bilbao, Boe, Bolz, Chavez, Chew, Crane, Durst, Henbest, Jaquet, Killen, King, Kren, Pasley-Stuart, Pence, Ringo, Rusche, Shively, Smith(30)(Stanek), Stevenson, Thomas, Trail. Total -- 21.

NAYS -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Block, Bock, Bowers, Brackett, Bradford, Chadderdon, Clark, Collins, Eskridge, Hagedorn, Hart, Harwood, Henderson, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Patrick, Raybould, Roberts, Ruchti, Sayler, Schaefer, Shepherd(08), Shirley, Smith(24), Snodgrass, Thayne, Vander Woude, Wood(27), Mr. Speaker. Total -- 45.

Absent and excused--Black, Shepherd(02), Wills, Wood(35). Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 458** failed to pass the House and ordered the bill filed in the office of the Chief Clerk.

**H 517**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ruchti to open debate.

Mr. Ruchti asked unanimous consent, pursuant to Rule 46, that **H 517**, as amended, be corrected as follows:

On page 2, line 32 underscore the 6.

There being no objection, it was so ordered.

The question being, "Shall **H 517**, as amended, as corrected, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Shively, Smith(24), Smith(30)(Stanek), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wood(27), Mr. Speaker. Total -- 63.

NAYS -- Barrett, Harwood, Mortimer, Wood(35). Total -- 4.  
Absent and excused--Black, Shepherd(02), Wills. Total -- 3.  
Total -- 70.

Whereupon the Speaker declared **H 517**, as amended, as corrected, passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 526**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Schaefer to open debate.

The question being, "Shall **H 526**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Shively, Smith(24), Smith(30)(Stanek), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wood(27), Wood(35), Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused--Black, Shepherd(02), Wills. Total -- 3.  
Total -- 70.

Whereupon the Speaker declared **H 526**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 529**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

Mr. Bedke asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 529**. There being no objection, it was so ordered.

The question being, "Shall **H 529**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Shively, Smith(24), Smith(30)(Stanek), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wood(27), Wood(35), Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused--Black, Shepherd(02), Wills. Total -- 3.  
Total -- 70.

Whereupon the Speaker declared **H 529**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 380**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

Mr. Rusche asked unanimous consent that **H 380**, as amended, be returned to the Business Committee. There being no objection, it was so ordered.

**H 382**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 382**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Shively, Smith(24), Smith(30)(Stanek), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wood(27), Wood(35), Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused--Black, Lake, Shepherd(02), Wills.  
Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 382**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 531**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **H 531**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chew, Clark, Collins, Crane, Eskridge, Hagedorn, Hart, Harwood, Henderson, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Patrick, Pence, Raybould, Roberts, Schaefer, Shepherd(08), Shirley, Shively, Smith(24), Smith(30)(Stanek), Snodgrass, Stevenson, Thayn, Thomas, Trail, Vander Woude, Wood(27), Wood(35), Mr. Speaker. Total -- 54.

NAYS -- Bock, Boe, Chavez, Durst, Henbest, Jaquet, LeFavour, Pasley-Stuart, Ringo, Ruchti, Rusche, Sayler. Total -- 12.

Absent and excused--Black, Lake, Shepherd(02), Wills.  
Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 531**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, March 3, 2008. There being no objection, it was so ordered.

There being no objection, the House returned to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 557** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 557** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen,

King, Kren, Labrador, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Shirley, Shively, Smith(24), Smith(30)(Stanek), Snodgrass, Stevenson, Thayn, Thomas, Trail, Vander Woude, Wood(27), Wood(35), Mr. Speaker. Total -- 65.

NAYS -- Durst. Total -- 1.

Absent and excused--Black, Lake, Shepherd(02), Wills.  
Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 557** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 557** pass?"

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Shirley, Shively, Smith(24), Smith(30)(Stanek), Snodgrass, Stevenson, Thayn, Thomas, Trail, Vander Woude, Wood(27), Wood(35), Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused--Black, Lake, Shepherd(02), Wills.  
Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 557** passed the House. Title was approved and the bill ordered transmitted to the Senate.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 588 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO INCOME TAXES; REPEALING SECTION 63-3024A, IDAHO CODE, RELATING TO THE GROCERY TAX CREDIT; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3024A, IDAHO CODE, TO PROVIDE FOR INCOME TAX CREDITS OR REFUNDS TO CERTAIN RESIDENT INDIVIDUALS, TO PROVIDE PROCEDURES, TO PROVIDE A METHOD OF PAYMENT, TO PROVIDE A STATUTE OF LIMITATIONS, TO PROVIDE FOR THE DONATION OF CREDITS, TO PROVIDE FOR CANCELLATION OF A FUTURE ADJUSTMENT AND TO PROVIDE FOR A PROCEDURE WHEN A CREDIT ADJUSTMENT SHALL NOT OCCUR; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**H 588** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

**Report of Standing Committees**

February 29, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 588**.

CLARK, Chairman

**H 588** was referred to the Revenue and Taxation Committee.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 10:30 a.m., March 3, 2008. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:46 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk